

**Conservation Commission Meeting Minutes
April 9, 2014**

Members Present: Louis A. Napoli, Chairman, Joseph W. Lynch, Jr., Vice Chairman, John T. Mabon, Deborah A. Feltovic, Douglas W. Saal.

Members Absent: Sean F. McDonough, Albert P. Manzi, Jr.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge, Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:00 PM Quorum Present.

Approval of Minutes 3/12/14

- A motion to accept the meeting minutes of 3/12/14 as drafted and reviewed is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

Public Meeting: 7:02 PM

NACC#124, 730 Winter Street (Norton) (Installation of fence and prune bushes)

- The applicants Matthew & Raedene Norton are present.
- The administrator presents the proposal and explains that an OOC for a septic system is still open.
- Mr. Mabon asks about the location of the 25' No-Disturbance Zone.
- A motion to accept the project as a small project 4.4.2. G & H and approve as proposed with pre and post construction inspection is made by Mr. Mabon, seconded by Mr. Lynch.
- Vote unanimous.

Documents:

- *Application Checklist-Small Project*
- *Small Project Procedures*
- *Letter from Matt Norton narrative of project dated 4/1/2014*
- *Photos from Matt Norton dated 4/1/2014*
- *Copy of the Permit plan dated 2/28/2012*
- *Photos dated 4/8/2014*

Public Hearings: 7:05 PM

Request for Determination of Applicability

4 High Street (RCG West Mill NA, LLC c/o RCG, LLC) (Design Consultants, Inc.)

- The applicant David Steinberg of RCG West Mill NA, LLC, Seth Zeren of RCG West Mill NA, LLC, and David Giangrande of Design Consultants, Inc are present.
- Mr. Saal reads the legal notice.
- Mr. Zeren presents the proposal to construction additional parking on the site using porous pavers.
- Mr. Giangrande states Sutton Pond is over 200' from site but stormwater connects to pipe carrying stream under buildings. Parking areas will be pitched to rain gardens to filter stormwater. The proposal meets the stormwater management standards and handles up to the 100-year storm event.
- Mr. Lynch asks about the soils on site and if there are potential pollutants.
- Mr. Steinberg states we are the new owners of the West Mill property.
- Eggleston Environmental has reviewed the proposal and has no additional concerns.
- Ms. Feltovic applauds the applicant for making the filing go very smoothly.
- Mr. Lynch asks that all direct connections to the drainage system be protected during construction. A revised erosion control plan should be submitted before the preconstruction meeting.
- A motion to issue a negative determination with pre and post construction inspection is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *Project Description*
- *Signatures and Submittal Requirements*
- *Existing Conditions Plan dated 3/14/2014*
- *Existing Conditions Plan with Locus dated 3/14/2014*
- *Erosion Control Plan dated 3/14/2014*
- *Layout & Materials Plan dated 3/14/2014*
- *Grading and Drainage Plan dated 3/14/2014*
- *Details dated 3/14/2014*
- *8.5" x 11" Locus Map dated 3/14/2014*
- *Notification to Abutter's Form*
- *Certified Abutter's List 3/14/2014*
- *MIMAP Aerial Photo dated 4/8/2014*

Abbreviated Notice of Resource Area Delineation

242- , 407 Bear Hill Road (Kierce) (O'Neil Associates)

- Ms. Feltovic reads the legal notice.
- The administrator explains the need for a continuance. She would like to see more vegetation emerging before making a decision on the delineation. There are several channels up-gradient of the wetland line. The slope is very steep and stony and she is not able to auger.

- Abutters Bradford Smith & Donna Canty of 419 Bear Hill Road, and Joseph Bean & Madeline Bean of 431 Bear Hill Road are present and have concerns about what is happening on site. Soils are already disturbed and trees have been cut.
- The administrator states the cutting and disturbance is more than 100' from resource areas.
- Mr. Lynch states a Watershed Special Permit will also be needed and that Planning should be notified of the disturbance.
- A motion to grant the request for a continuance to the April 23, 2014 meeting is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Abbreviated Notice of Resource Area Delineation*
- *WPA Form 4A-Abbreviated Notice of Resource Area Delineation*
- *General Information*
- *Fees Transmittal Form*
- *Signatures*
- *Applicant Information*
- *USGS Locus Map*
- *NHESP Map*
- *North Andover MIMAP dated 12/13/2013*
- *Affidavit of Service*
- *Copy of State & Town Checks*
- *Notification to Abutter's Form*
- *Certified Abutter's List dated 1/15/2014*
- *ANRAD Plan dated January 28, 2013*
- *ANRAD Plan revised dated March 31, 2014*
- *Photo's dated 4/3/2014*

Notice of Intent (NOI)

**242-1617, 479 Lacy Street (Windrush Farm Therapeutic Equitation, Inc.) (Donohoe Survey, Inc.) **

- Mr. Mabon reads the legal notice.
- Paul Donohoe of Donohoe Survey, Inc. presents the proposal to install a dry hydrant for fire protection (requested by Boxford Fire Chief). The wetland line was adjusted on the plan at the request of the Administrator. Mr. Donohoe states that Mary Rimmer of Rimmer Environmental Consulting, LLC flagged the site. The pond was dug in the 1950's after a fire. It is approximately 17,000 s.f. and 8' at its deepest. 280' of suction line will be installed. A dewatering location is shown on the plan.
- Mr. Mabon asks if there will be a permanent pump – answer is no, pumper truck will be used. Mr. Mabon asks about pipe material – answer will be PVC in pond.
- Mr. Lynch discusses the agricultural exemption. The Administrator states that it does not apply because the farm does not raise and sell horses.
- Mr. Lynch asks about erosion control in pond. None proposed. Work should be done in dry season.

- Mr. Napoli asks about soils. He states contractor may encounter boulders and should advise conservation if route is to change.
- The administrator asks that creosote soaked poles be removed from wetland.
- A motion to grant a waiver for work in the 25' No-Disturbance Zone is made by Mr. Lynch and seconded by Ms. Feltovic.
- Vote unanimous.
- A motion to close and issue a decision with 21 days is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *Letter from Windrush Farm dated 4/2/2014*
- *General Information*
- *Waiver Request*
- *NOI Wetland Fee Transmittal Form*
- *Locus Map*
- *Description of dry hydrant installation*
- *Delineation Field Form from Rimmer Environmental Consulting, LLC dated 11/20/2013*
- *Indicators of Hydrology*
- *Notification to Abutter's Form*
- *Certified Abutter's List dated 2/19/2014*
- *Site Plan dated January 20, 2014*
- *Site Plan revised dated April 4, 2014*

**242-1618, 50 Royal Crest Drive (Building 47) (AIMCO North Andover, LLC)
(Cornerstone Land Consultants, Inc.)**

- Mr. Saal reads the legal notice.
- Kenneth Lania of Cornerstone Land Consultants, Inc. presents the proposals to waterproof the buildings. Roof leaders will not be connected. Mr. Lania states he is waiting for data regarding the amount of water leaving the site before connecting additional drainage.
- Mr. Napoli states the Town of North Andover is working on the Becky's Pond drainage.
- Mr. Lania states DPW has encountered some issues regarding their drainage plans for the area.
- Mr. Mabon asks if the drainage will go into the storm drain because abutters have concerns with more water leaving the site.
- Mr. Lania states this basin drains into the line that runs along Route 114.
- Mr. Lynch asks about the existing drainage. Deep sump?
- Mr. Lania states hoods were installed.
- Mr. Lynch states he would like to see a manhole added in front of the catch basin.
- Mr. Saal agrees with Mr. Lynch.
- Mr. Lynch asks when water meter information (on water leaving site) will be available.
- Mr. Lania states 2 weeks.

- Abutter's Rusanne E. Wise of 95 Hillside Road, and Mary Louise Schaalma of 85 Hillside Drive are present and raises concern that meeting notice said meeting would not start before 8 p.m.
- Ms. Wedge confirms the applicant used an old template.
- Abutters questions are heard.
- A motion to grant the request for a continuance to April 23, 2014 meeting is made by for revised plans is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Application Checklist-Notice of Intent*
- *Letter from Cornerstone Land Consultants, Inc. dated 3/28/2014*
- *WPA Form 3-Notice of Intent*
- *General Information*
- *NOI Wetland Fee Transmittal Form*
- *Abutter's Notification Form*
- *Certified Abutter's List dated 3/19/2014*
- *Copy of State & Town Checks*
- *Checklist for Stormwater Report*
- *Other Materials Submitted with this NOI*
- *Locus Map dated 3/24/2014*
- *Aerial Photography dated 3/24/2014*
- *USGS Topographic Maps dated 3/24/2014*
- *NHESP Endangered Species Map dated 3/24/2014*
- *FEMA Floodplain Map dated 3/24/2014*
- *Zoning Map dated 3/24/2014*
- *NRCS Soils Map dated 3/24/2014*
- *Foundation Drainage Plans dated 3/24/2014*
- *Building 47 (reduced scale) dated 3/11/2014*
- *Foundation Drainage Plans Building 47 dated 3/11/2014*

NACC#123, 50 Royal Crest Drive (Building 30) (Local Bylaw only) (AIMCO North Andover, LLC) (Cornerstone Land Consultants, Inc.)

- Mr. Saal reads the legal notice.
- See discussion and voting above.

Documents:

- *Application Checklist-Notice of Intent Local Bylaw only*
- *Letter from Cornerstone Land Consultants, Inc. dated 3/28/2014*
- *WPA Form 3-Notice of Intent Local Bylaw only*
- *General Information*
- *NOI Wetland Transmittal Form*
- *Abutter's Notification Form*
- *Certified Abutter's List dated 3/19/2014*
- *Copy of Local Check dated 3/24/2014*
- *Other Materials Submitted with this NOI*

- *Locus Map dated 3/24/2014*
- *Aerial Photography dated 3/24/2014*
- *USGS Topographic Maps dated 3/24/2014*
- *NHESP Endangered Species Map dated 3/24/2014*
- *FEMA Floodplain Map dated 3/24/2014*
- *Zoning Map dated 3/24/2014*
- *NRCS Soils Map dated 3/24/2014*
- *Foundation Drainage Plans-Building 30 (reduced scale) dated 3/11/2014*
- *Foundation Drainage Plans-Building 30 (full scale) dated 3/11/2014*

General Business: 8:25 PM

**242-1459, COC Request, 1001 Turnpike Street (Orchard Village, LLC)
(Christiansen & Sergi, Inc.) (cont. from 3/26/14)**

- The applicant Robert Messina of Orchard Village, LLC and the applicant lawyer Donald F. Borenstein, Esq. are present.
- The administrator explains the review to date including testing of the porous pavement. Sod has also just been installed on Lot 6.
- Mr. Borenstein reviews the process to date..
- Mr. Lynch states the O&M on the porous driveways needs to be done yearly to keep the driveways from clogging. He states the COC should be held until the site is stabilized and erosion controls removed.
- The administrator reads the final email from Mr. Peznola the third party reviewer.
- A motion to issue the COC when erosion controls are removed is made by Mr. Lynch, seconded Mr. Mabon.
- Vote unanimous.

Documents:

- *Plan of Pervious Pavement Test Locations dated 4/9/2014*
- *Photos dated 11/27/2013*

242-265, PCOC Request, 55 Wintergreen Drive (Lot 10) (Healey)

- The applicant Cheryl S. Healey of 55 Wintergreen Street is present.
- Mr. Lynch asks if there are any drainage easements. There are not.
- A motion to issue the PCOC is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *WPA Form 8A-Request for Partial Certificate of Compliance dated 4/2/2014*
- *As-Built Plan dated 3/31/1994*

**242-1114, COC Request, Dale Street/Bradford Street (Meetinghouse Commons, LLC)
(MHF Design Consultants, Inc.)**

- The applicant Thomas D. Zahoruiko is present.
- The Administrator reviews issues with the plan including various scales, discrepancies and need for proof of stormwater maintenance.

- Mr. Zahoruiko points out that over 120 monitoring reports have been completed for the project. He states that a small amount of erosion control needs to be removed from under the bridge.
- Mr. Napoli states the commission needs to be consistent about proof of maintenance of the stormwater system.
- The Administrator states there is an underground detention system as well.
- Mr. Mabon states that all information required by the OOC is needed.
- Mr. Zahoruiko is confident he can find the O&M.
- The NACC discusses the plan scale.
- Mr. Zahoruiko will provide the as-builts at 1:40 scale.
- Mr. Saal states MHF should call out the differences.
- Mr. Lynch states the O&M can be performance based if not all records available.
- A motion to grant the request for a continuance to April 23, 2014 meeting is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

Documents:

- *Letter from MHF Design Consultants, Inc. dated 3/18/2014*
- *WPA Form 8A-Request for Certificate of Compliance*
- *As-Built Plan dated March 18, 2014*

242-158, PCOC Request, 68 Bear Hill Road (Lot 52A) (Hyder Law Offices)

- Field Inspector reports this is a non- jurisdictional lot.
- A motion to issue the PCOC for 68 Bear Hill Road (Lot 52A) only is made by Ms. Feltovic, seconded by Mr. Lynch.
- Vote unanimous.

Documents:

- *Letter from Hyder Law Offices dated 3/27/2014*
- *WPA Form 8A- Request for Partial Certificate of compliance*

Bylaw Regulations, Fees, and Checklist Revisions

- Administrator states still have outstanding questions from Eggleston Environmental on the stormwater regulations that need commission input.
- A motion to grant the request for continuance to April 23, 2014 meeting is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

A motion to adjourn the meeting at: 9:20 PM is made by Ms. Feltovic, seconded by Mr. Lynch.

Vote unanimous.